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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,687	07/15/2003	David T. Jennings III	BRI/018	8452

7590 12/22/2004

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Venice, CA 90291

EXAMINER
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COLLINS, TIMOTHY D

ART UNIT	PAPER NUMBER
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3643

DATE MAILED: 12/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/619,687

Applicant(s)

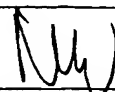
JENNINGS, DAVID T.

Examiner

Timothy D Collins

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 October 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) 1-10 and 18-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-13, 16, 17 and 21-23 is/are rejected.
- 7) ☐ Claim(s) 14, 15, 24 and 25 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Applicant's election with traverse of the restriction given June 11, 2004 in the reply filed on 7/12/04 is acknowledged. The traversal is on the ground(s) that the claims are essentially identical. This is not found persuasive because the method and apparatus are separately distinct as stated in the requirement.

The requirement is still deemed proper and is therefore made FINAL.

2. Claims 1-10 and 18-20 are withdrawn.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 11-13, 16, 17, and 21-23 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by USPN 5532592 to Colclough (hereinafter called 592).

a. Re claims 11-13, the device of 592 discloses the system of the claims at least in the specification and also in figure 1. Also it can be seen that the bus is the electrical connections between the slave and master, and also there are multiple slaves as seen in figure 1 at least.

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- b. Re claims 16-17, see 11-13 above.
- c. Re claims 21-23, see claims 11-13 above.
- 5. Claims 11-13, 16,17, and 21-23 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by USPN 4507793 to Adams (hereinafter called 793).
  - d. Re claims 11-13, the device of 793 discloses the system of the claims at least in the specification and also in figures 1 and 2. Also it can be seen that the bus is the electrical connections between the slave and master, and also there are multiple slaves as seen in figure 1 at least.
  - e. Re claims 16-17, see 11-13 above.
  - f. Re claims 21-22, see claims 11-13 above.
  - g. Re claim 23, see at least the column 2 at lines 50-56 for the bridge diodes.
- 6. Claims 11-13, 16,17, and 21-23 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by USPN 4493092 to Adams (hereinafter called 092).
  - h. Re claims 11-13, the device of 092 discloses the system of the claims at least in the specification and also in figures 1 and 2. Also it can be seen that the bus is the electrical connections between the slave and master, and also there are multiple slaves as seen in figure 1 at least.
  - i. Re claims 16-17, see 11-13 above.
  - j. Re claims 21-22, see claims 11-13 above.
  - k. Re claim 23, see at least the column 2 at lines 45-51 for the bridge diodes.

***Allowable Subject Matter***

7. Claims 14,15,24 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. These claims disclose that the communication and talkback device of the previous claims is a blasting machine and the slave devices are electronic detonators.

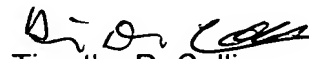
***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy D Collins whose telephone number is 703-306-9160. The examiner can normally be reached on M-Th, 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Poon can be reached on 703-308-2574. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Timothy D. Collins  
Patent Examiner  
Art Unit 3643



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